

STATEMENT OF PURPOSE

RS22144

This bill responds to concerns that some decisions rendered pursuant to the Local Land Use Planning Act (LLUPA) have failed to address clearly expressed decision criteria, have caused jurisdictional conflicts with state or federal agencies and have brought about a need for expensive and time-consuming appeals. The amendments to LLUPA set forth in this legislation would require specific standards in overlay zoning districts, prohibit overlay districts from causing regulatory taking, forbid abrogation of health district, state or federal jurisdiction by local ordinance, require that written land use decisions expressly address approval decision criteria and provide an expeditious reconsideration process to allow affected persons to contest a final decision before a judicial appeal is allowed to proceed.

The objectives of these amendments are two-fold: To provide clear decision-making criteria for local decision-makers, applicants and affected residents; and to provide a process of review to ensure protection of private property rights and due process for affected parties.

FISCAL NOTE

There is no fiscal impact to the general fund. Local government may realize an increase in administrative costs dependent on the number of reconsiderations processed.

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